IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

CIVIL APPLICATION NO. 270 OF 2005

IN

WRIT PETITION NO. 781 OF 2002

Kum. Ujwala Prakash More ..... Petitioner.

versus

State of Maharashtra and ors ..... Respondents.

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Shri R.K.Mendadkar with Mrs. Helen Koli Mandik for the petitioner.
Shri S.R. Nargolkar AGP for the State.

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CORAM ; V.G.PALSHIKAR &
SMT. NISHITA MHATRE, JJ.

DATED; 14TH FEBRUARY 2005.

P.C.;

1. Civil Application for restoration allowed. Petition taken up for final hearing by consent of parties.

2. The certificate of the petitioner of belonging to backward class/community was invalidated by Caste Scrutiny Committee and as consequence thereof her admission to M.B.B.S. course was terminated. Both the orders are impugned in this petition.

3. During the pendency of this petition, the petitioner has completed more than two years of

intensive studies. We have scrutinised carefully the order passed by the Committee. It is based on adequate evidence and the conclusions are not in any manner perverse. We therefore see no reason to interfere with that order. It is hereby confirmed.

4. However, as an exceptional case, taking into consideration the fact that the petitioner has put in almost three years of intensive studies for obtaining M.B.B.S. decree, it would be grossly unjust to deprive her of the education sought to be acquired on invalidation of the caste claimed. In such circumstances, we set aside the order cancelling her admission and directing the concerned authorities to permit her to complete her M.B.B.S. course. Petition accordingly disposed of.

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